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DOJ FOR ATTORNEY GENERAL HOLDER FROM THE CHARGE
DOJ ALSO FOR DEPUTY ASSISTANT AG BRUCE SWARTZ

E.O. 12958: N/A
TAGS: [OVIP](#) [PREL](#) [XL](#)
SUBJECT: SCENESETTER FOR YOUR VISIT TO BARBADOS

¶1. (SBU) Your visit, on the heels of Barbados Prime Minister Thompson's meeting with the President at the Summit of the Americas, provides opportunities to follow-up on the President's conversations on regional stability and security and to demonstrate to the people of the region our continuing commitment to the Eastern Caribbean. In Barbados, your visit will be seen not just as an opportunity to discuss regional judicial, law enforcement, and security issues with the highest ranking law enforcement official in the United States, but also as a chance to celebrate a "son of the soil" in recognition of your Barbadian heritage. Your informal meeting with the Attorneys General of the CARICOM states will provide an opportunity to build upon the Summit's discussions about regional security and counter-narcotics efforts and to chart an agenda for judicial and law enforcement cooperation with the region for the next four years.

¶2. (SBU) Your visit will take place immediately following a May 19-20 meeting in Suriname of the CARICOM Law Enforcement working group (CONSLE), to which the U.S. is sending an interagency group to discuss the \$30 million Caribbean Basin Security Initiative that the President announced at the Summit. In addition to regional law enforcement and judicial issues, discussions may also touch on deportees from the U.S., proposed legislation in the U.S. Congress on tax havens, and Cuba policy.

REGIONAL ISSUES

¶3. (SBU) The countries of the Eastern Caribbean, together with other Caribbean nations, share common law enforcement concerns and resource constraints: police and security forces are undermanned, thinly stretched, and poorly equipped; corruption in the ranks is a concern in some jurisdictions; and modern techniques and juridical tools for effective crime fighting are lacking. Most jurisdictions lack key legislative tools that would allow them to pursue civil asset forfeiture, wiretapping, and plea bargaining. Judicial structures are creaky, using procedures little changed from the colonial era, and in urgent need of modernization to build institutional and professional capacities among court officers (Grenada, for example, has just requested basic training for court reporters, a skill deficit that has bottlenecked its court system).

¶4. (SBU) Juvenile justice is a particularly underserved part of the judiciary, with few if any dedicated facilities for holding, trying, or rehabilitating juveniles. This lack of capacity, combined with limited economic opportunities, has led to the unsurprising result that gang activity is growing and at-risk youth are being recruited in increasing numbers into gangs and narco-trafficking organizations. At the macro-level, CARICOM countries continue to voice support for a Caribbean Court of Justice to supplant the Privy

Council in London as the court of last appeal. To date, however, only a handful of countries have formally accepted the jurisdiction of the Caribbean Court, leading to a hodgepodge of legal procedure across the region and dealing a blow to talk of CARICOM-wide legal harmonization.

BARBADOS SNAPSHOT

15. (SBU) Barbados remains a solid partner to the U.S. on counter-narcotics and security issues. Most recently, Barbados supported security efforts for the Summit of the Americas by allowing U.S. AWACS and refueling planes, and some 450 U.S. airmen, to forward-deploy at the country's airport. Barbados is also generally responsive with regard to mutual legal assistance requests, works well with our consular offices on American citizen services issues, and shares our broader regional law enforcement priorities on combating narco-trafficking and tackling rising crime rates. Unlike other countries in the Eastern Caribbean, Barbados has recently invested heavily in their own security with major upgrades to their Coast Guard and Defense Force capabilities.

16. (SBU) Domestically, the biggest challenges facing the government are spillover concerns from the global financial crisis and their effects on the country's two pillar industries: tourism and offshore banking. Prime Minister Thompson has been demonstrably pleased by the OECD's recent decision to place Barbados on a "white list" of countries that have well-regulated offshore financial sectors (the only Caribbean country so designated), and he recently declared Barbados "safe" from any impacts of Tax Haven legislation in the U.S. or other G-20 countries. Thompson may nevertheless reiterate Barbados' concerns on tax haven legislation, given its long-term importance to the country.

17. (SBU) Barbados has a solid macroeconomic footing, with some of the lowest inflation, unemployment, and debt ratios in the region. Despite this stable macroeconomic picture, the results for average Barbadians remains mixed. Per capita GDP belies a large and growing income disparity between the super-rich and the majority of the population. With Barbados' currency tied to the dollar and the U.S. supplying almost 40 percent of imports, many fear a U.S. recession will have a significantly negative impact on Barbados and the rest of the Caribbean.

YOUR MEETINGS

18. (SBU) Your meetings with PM Thompson, Attorney General Freundel Stuart, and the other CARICOM AGs will afford an excellent opportunity to engage on regional judicial and law enforcement issues, the Caribbean Basin Security Initiative, and the Proliferation Security Initiative. In particular, we believe regional AGs would be receptive to U.S. support for judicial modernization and legislative updates such as plea bargaining and civil asset forfeiture. Many countries are becoming increasingly anxious about the impact of gangs, and have already turned to the FBI for assistance in identifying and countering gang activity. We would also welcome your engagement with the AGs on issues of public accountability and transparency -- an emerging issue and a difficult one to address in the small, close-knit societies of the Eastern Caribbean.

-- Eastern Caribbean Law Enforcement Cooperation: The USG enjoys generally excellent cooperation with most CARICOM partners, and supports several regional and sub-regional law enforcement programs. The Embassy's Military Liaison Office and law enforcement agencies (FBI, DEA, DHS, IRS, State/DS) provide a raft of bilateral and multilateral assistance to the region. In addition to training and equipping local law enforcement units and FIUs, the U.S. is funding the establishment of a regional cyber-forensics laboratory in Antigua, providing operational support for drug interdiction

activities by law enforcement units in several countries, and assisting in the operation of a regional air passenger tracking system (APIS) that the U.S. funded and installed for the 2007 Cricket World Cup. Most recently, ATF signed eTrace Memoranda of Understanding with nine governments in the region, giving law enforcement authorities across the region access to the Bureau's firearms tracing database.

In addition to these activities, the USG works closely with the Regional Security System (RSS), a hybrid organization of both military and police personnel who remain under the command of their respective forces but can be called on by RSS for regional security (usually regional law enforcement and narcotics interdiction) purposes. The RSS is headquartered in Barbados at Camp Paragon. The USG has generously supported the RSS since its creation in the 1980's, including donating its two surveillance aircraft in the late 1990's and ongoing operational support from the U.S. Southern Command. Most of the counter-narcotics and other law enforcement assistance offered through DEA, LEGAT and Treasury is funded through the State Department's INL Bureau which, after several years of severely reduced financing and staffing, has begun this year to provide larger -- though still modest -- amounts of funding for program activities.

-- The Caribbean Basin Security Initiative (CBSI). The previous Administration launched a security dialogue with CARICOM members in September, 2008 to address rising concerns over the growth of narco-trafficking and violent crime throughout the region. The initial meeting, scheduled for December, 2008, was cancelled at CARICOM's request in anticipation of working with the Obama administration. The President restarted this security dialogue at the Summit of the Americas in April, with an announcement that he would seek \$30 million in additional funding to promote greater security cooperation. To further this initiative, known internally as CBSI, Washington will send an interagency team to Suriname on May 19-20 to engage with CARICOM law enforcement technical experts to discuss the now \$45 million regional security budget request and seek their input on threats, capabilities, and priority needs. The Suriname meeting will serve as an opportunity to shape an action-oriented process to develop a joint multi-year, multi-faceted U.S.-Caribbean security initiative that will include both "hard" elements of equipping and training law enforcement units and "soft" assistance such as funding for healthcare, education, and programs to assist at-risk youth.

-- Proliferation Security Initiative (PSI). As you know, the PSI seeks to prevent the trafficking of weapons of mass destruction (WMD), their means of delivery and related materials to and from states and non-state actors of proliferation concern. Through this partnership of states, the international community can better interdict shipments of WMD-related items of proliferations concern. We would like Barbados and the other CARICOM nations support the PSI Statement of Interdiction Principles. In addition, we have encouraged Antigua and St. Vincent, who have the 9th and 20th largest ships' registries respectively, to sign PSI Shipboarding Agreements, which would allow U.S. units to board vessels under those countries' flags (only/only with their consent) in support of law enforcement operations.

19. (SBU) PM Thompson is likely to raise the following issues:

-- Regional Security and Crime. The Ministry of Foreign Affairs told us they want to discuss the serious problems in the region with narco-trafficking and the deterioration of the Regional Security System (RSS) because of lack of funding from regional governments. Help for the RSS and more aid in deterring narco-trafficking are likely to remain key concerns; the CBSI, which Barbados supports, is likely to be the best vehicle to address these issues.

-- Deportees. The supposed role of criminal deportees from the U.S. on local crime is a perennial top concern for most CARICOM states. Caribbean countries have found it

politically convenient to blame criminal alien deportees for rising crime rates in the region. A joint UN/World Bank study on the subject in early 2007, however, showed no clear link between deportees and crime levels. On the contrary, recidivism rates among deportees were substantially lower than that of "home grown" criminals. CARICOM countries also complain that deportees arrive without adequate prior notification (we typically provide 24 hours' advance notice of an arrival), and that governments are not routinely provided with the full criminal histories of returning aliens (we are prohibited from providing such information absent a formal request by the host nation on the basis of an ongoing law enforcement action involving the individual in question).

-- Tax Havens. There had been considerable fear in the Barbadian government that anti-Tax Haven legislation pending in the U.S. Congress could severely impact the country's offshore financial operations. Since being placed on the OECD "white list" of well-regulated countries, however, some of the consternation concerning this legislation has abated in the past few weeks for Barbados. Unfortunately, the same cannot be said for the other CARICOM countries, all of which are on the "grey list" of countries with some, but not adequate, regulation, and thus this issue may come up during your CARICOM AGs meeting.

-- Cuba. All the countries of the Eastern Caribbean have longstanding close relations with the Cuban regime, which supplies free medical care and medical education to many Caribbean citizens. These small island nations also identify with Cuba's "David and Goliath" mystique and Castro's own mythic status. Thus you will likely hear arguments both from Barbados and the CARICOM collective that the U.S. should end the embargo against Cuba and engage with the Raul Castro government. We have emphasized, as President Obama made clear at the Summit, that engagement requires steps by both sides, and that Caribbean countries, as successful democracies and strong supporters of human rights themselves, should encourage Cuba to show willingness to change as well, inter alia by releasing political prisoners and improving human rights in the country.

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